

Community Preservation Act Committee (CPAC)
Meeting Minutes
Thursday, September 26, 2013

The meeting was called to order at 7:02 pm by Peter Jessop, Chair, in the Community Room at the Police Department

COMMITTEE MEMBERS IN ATTENDANCE:

Marilyn Blaustein, Paris Boice, Jim Brissette, Peter Jessop, Mary Streeter

COMMITTEE MEMBERS ABSENT:

Sandy Anderson, Ellen Kosmer, Jim Oldham

STAFF IN ATTENDANCE:

Sonia Aldrich, Comptroller, and CPAC Staff Liaison; David Ziomek, Assistant Town Manager and Conservation and Planning Director

OTHERS IN ATTENDANCE:

Diana Stein, Select Board Liaison

AGENDA:

- Review financial status and available CPA budget for FY2015
- Hear proposal for Open Space project possible for the upcoming Fall Town Meeting. (Dave Ziomek)
- Review proposal Letter for FY2015 and new language to set time limits for projects to be completed
- Set schedule for future meetings and distribution of proposal letter
- Set agenda for next meeting
- Approve any minutes
- Topics the Chair did not reasonably anticipate 48 hours before the meeting

DISCUSSION:

- Introductions
 - New Member- LSSE Liaison, Jim Brissette
 - Vacancy- Historic Commission- The Historic Commission has been reminded by Nate Malloy and Dave Ziomek of the vacancy.
- Overview of CPAC process
 - Peter Jessop reviewed the usual yearly timeline, from reviewing the project proposal letter to bringing recommended projects in front of Town Meeting.
 - Peter Jessop also explained that we usually recommend projects for Spring Town Meeting, but sometimes we do recommend projects for Fall Town meeting if there are more stringent time constraints, as with a property acquisition for Open Space.

- **Review financial status and available CPA budget for FY2015**
 - Peter Jessop reviewed the “Financial Status for CPA Funds” report line by line, with Sonia Aldrich assisting.
 - FY2014 Appropriations (\$41,785.00) could be voted at Fall Town Meeting. The amount was indicated because it is possible that the CPAC may vote to recommend this amount for the Saul property acquisition.
 - This is the last year for the Plum Brook Debt Service.
 - South East Rock Farm and Amherst Housing Authority for Units at Ann Whalen will be in year 1 of 10. They are currently indicated as an Estimated Debt Service.
 - The CPAC should vote to recommend to Town Meeting to fund debt service projects.
 - There will be approximately \$344,439.41 for CPA FY2015 plus an additional \$41,785.00 if the CPAC does not vote to recommend the Saul Property project.
- Reminder from Mary Streeter- She took minutes for our last meeting in the spring and was reminded that the CPAC wanted to have a focus on Affordable Housing for this year’s projects.
- Questions from Jim Brissette about how the CPAC determines the estimated funds available for FY15 and about how much we generally vote to recommend, i.e. does the CPAC always vote to recommend all of the available funds for a given year? Peter Jessop and Sonia Aldrich explained what the CPAC generally does.
- Question from Mary Streeter- “Will we get any returned appropriations that may be available for FY15?”
 - Sonia Aldrich was unsure if there would be any returned appropriations, but Dave Ziomek had several comments about this topic.
 - He went through many historical preservation projects with Nate Malloy and found that there were some projects that may not happen or where all of the money will not be spent, for example:
 - NACF (North Amherst Community Farm)- \$25,000 was allotted for a barn restoration, which will not happen. NACF spent about \$800 on a consultation, so approximately \$24,000 will be coming back to CPA funds.
 - West Cemetery Iron Gate-\$6,000 likely to come back from that project.
 - There may be as much as \$50,000 in returned appropriations, but the CPAC cannot vote to recommend

these funds for other projects for FY15 unless they are returned by February or March 2014.

- Housing and Open Space appropriations/projects are all underway. It is mostly the Historic Commission that still has money that may be returned.
- Dave Ziomek hopes to have the returned appropriations back to the CPAC by January.
- Mary Streeter mentioned that the CPAC wants to fund projects that can be started within a year or so of funding.
- Peter Jessop gave an overview of the financial status discussion and asked Dave Ziomek to present his proposal for upcoming Fall Town Meeting.

• **Hear proposal for Open Space project possible for the upcoming Fall Town Meeting. (Dave Ziomek)**

- Dave Ziomek presented on the Saul Property
 - See supporting documents attached
 - CPAC Conservation Project-Saul Property Proposal
 - Protected Lands- Saul Property Map
 - LAND Grant: Saul Acquisition Protection of the Fort River and Farming Map
 - Saul Property Potential Layout Map
 - Owned by Bob Saul, who was previously on the Amherst Finance Committee- this information was already vetted with Town Counsel
 - "That Saul" LLC
 - He has owned the property for several years, but now he must sell it by the end of 2013. He is currently working with the Kestrel Trust.
 - Great location, next to the Fort River School, with extensive riverfront, rare and endangered habitat, 14 acres of farmland, two vernal pools, and dwarf wedge mussel.
 - Dave Ziomek is meeting with a professor who builds bridges in the hopes of getting a donated bridge for access.
 - The plan is to create a small (2-3 acre) community farm in conjunction with Grow Food Amherst, which would be planned, planted, tended, and harvested cooperatively.
 - There have already been discussions of working to provide produce for places like the Survival Center and Craig's Door.
 - The other acreage on the site will be used as an incubator for new farmers and there are plans for an interpretive trail around the entire property. See Saul Property Potential Layout Map attached.
 - The focus for this project will not only be agriculture, but also community and education.

- Dave Ziomek submitted a LAND grant proposal, which would cover 70% of the cost, or \$105,665, but the town will not know if we have received funding until October or November.
- Dave Ziomek would like the CPAC to recommend \$41,785.00 to be used in conjunction with the LAND grant if it is awarded, or to also consider funding the full amount of \$150,950 if the LAND grant is not awarded.
- Questions from the CPAC about the Saul Property
 - Q: What might happen if we don't buy it?
 - May sell to a farmer for agriculture.
 - There is at least one buildable lot on the property.
 - Q: Why must it be sold by the end of the year?
 - Unsure
 - Q: Is there a threat of development?
 - In the planned cooperative community garden area, development is possible.
 - Q: Can we have a look at the appraisal?
 - Unsure because then it allows the appraisal to become part of the public record. Dave Ziomek will check with Town Counsel.
- Additionally Dave Ziomek pointed out the Grow Food Amherst is very excited about this opportunity, and that most of the value of the property is for agriculture, not development.
 - Q: Why should we take this into consideration out of cycle?
 - He thinks that this property will sell by Spring 2014 and he is worried about the loss of opportunity if we do not act.
 - Q: Is it active farmland now?
 - Bob Saul tried to grow black walnuts on the property, but did not succeed in that soil.
- Dave Ziomek asked if the CPAC was familiar with the Bean-Allard project in Northampton? He sees this as a small Bean-Allard project, meaning it has several components, community, farming, education, etc.
 - Q: Is this layout "set in stone"? Meaning, can we use some of the property for Community Housing?
 - Not able to use the site for Community Housing, because the LAND grant has already been submitted and has specific usage guidelines.
 - Feedback from the State about Recreation possibility on this site was negative. And he doubts that the

State would look favorably on the possibility of Housing.

- Every parcel we look at, we consider Housing, Recreation, Conservation, etc. This site does not really fit for Housing or Recreation.
- Most of this project is in Estimated and Priority Habitat, which immediately eliminates Housing. Dave Ziomek gave an example of another site that could have a combination of Housing and Farming.
- Q: What is the timing for Town Meeting?
 - Warrant signed Oct. 7th, 2013
 - List of articles deadline was last week (Dave Ziomek already included this article)
- Q: What is the Conservation Commissions stance?
 - Conservation Commission heard the project proposal and supported the project.
 - There will be an official vote at the next meeting.
 - Fits with the OSRP goals and it is one of the last pieces of unprotected farmland in this area.
- Q: How do you access the property?
 - There is a deeded access, which could be used for tractors, trucks, or other farm equipment.
 - Main access would be foot traffic.
- Q: Is there a possibility for an enclosed or designated dog park?
 - No, because the State money is for a very specific use. State LAND grant provides cities and towns with monies for open space preservation, for passive recreation, agriculture as we are talking about here and ecological preservation.
 - Vetted the active recreation idea for this parcel with the State, and they said they would not fund that.
 - We need to find a specific piece of property that is not ecologically sensitive and is conducive to that kind of activity for a Dog Park.
- Q: Is the kind of agriculture you're envisioning not using heavy equipment?
 - No, they will probably be using heavy equipment, but we are thinking in terms of permaculture, organic, etc.
 - Hoping to have shared equipment for any farmer who uses this parcel.
- Dave Ziomek also pointed out that they might look to the State for help in cleaning up the Fearing Brook, a tributary to the Fort River that drains downtown, down College Street and through east Amherst businesses, Fort River School and then empties into the

Fort River. Applying to the Massachusetts Environmental Trust, to get a Study Planning grant to look at how we might clean up that Fearing Brook before it hits the very sensitive Fort River.

- Dave Ziomek recognizes that this ask is off cycle and said that it sounded like the entire funding for the proposal at \$150,950 is out of the question. Peter Jessop clarified that it seems out of reach tonight because we don't have any other information about what other proposals might be coming in during the regular cycle.
- Dave Ziomek asked the CPAC if they have confidence to move forward if the State grant was awarded? And if the State grant was not awarded, Dave said that he would try to work with the Kestrel trust to see if they might be able to hold the property until he was able to resubmit the project during the regular cycle for CPA funding.
- Paris Boice will make sure to check in with Beth Willson to see if the Conservation Commission officially voted on the Saul Property project, or if they just discussed it and voiced their support.
- Peter Jessop asked Dave Ziomek if he shared CPAC support of the project with the State if it would make a difference in funding the grant. And Dave Ziomek said that he would share the information with the State.
- Q: Are there any other Open Space projects this Spring?
 - There are some projects coming down the road for Spring Town Meeting. The most urgent is putting conservation restrictions on projects. This will cost about \$20,000-\$25,000.
- Dave Ziomek gave an update on the Hawthorn property on East Pleasant Street. He said the demolition and site prep were underway and gave a general timeline for the project. He also said that Habitat for Humanity would probably put in a proposal for building one or two units on this property.

MOTION:

Motion to recommend to Town Meeting to fund Saul Property project for \$41,785.00.

Moved: Marilyn Blaustein

Second: Paris Boice

Further Discussion:

Mary Streeter said she was a bit torn because she is unsure why the project has to be done right now.

Dave Ziomek explained that the project would be a great opportunity to create a cooperative community garden and an incubator for new farmers.

VOTED:

4-1

4 in favor (Marilyn Blaustein, Paris Boice, Jim Brissette, Peter Jessop)

1 opposed (Mary Streeter)

2 absent (Sandy Anderson, Ellen Kosmer, Jim Oldham)

• Review proposal Letter for FY2015 and new language to set time limits for projects to be completed

- Mary Streeter asked about grant agreements. She said we have not put together a grant agreement yet. She asked if Town staff could run through the process that groups have to go through to get the funds from CPA. She wants to include guidelines for CPA proposals that are granted in terms of timeline of project.
- Peter Jessop asked the CPAC to check out the Proposal Letter and make necessary changes. Some ideas for updating the letter were as follows.
 - Include a section where the requester can list previous projects. Add as #7 to Proposal Request Form, this is not a criteria, but good information to have
 - Add the requirement of an annual update. It will be a specific date, before voting occurs. A good date would be the last day of December every year
 - Add an explanation of expectations about timeline for using CPA funds
 - Add a question that asks if the project would go forward if you were not to receive funds
- Peter Jessop will reword the above questions/statements and send around to committee before adding to request form
- Jim Brissette asked if we could include wording that more specifically supports Recreation because the perception from LSSW and Public is that CPA funds are not used for Recreation. There was discussion of striking the last line off of the first page of the request letter, "Recreation, the fourth recipient..."
- There was a suggestion that one person should check to see if people on the distribution list got the letter. Paris Boice will work with Sonia Aldrich to check to see if recipients get proposal letter.
- Also, a suggestion to put an article in the Amherst Bulletin asking for proposals
- If anyone on the CPAC thinks of other entities that should receive the letter, let Sonia Aldrich know
- Peter Jessop will contact Scott at the Daily Hampshire Gazette to get information out about the CPAC in time for proposals
- Peter Jessop will edit proposal letter and send it around for approval and revisions. Send all revisions and edits to Sonia Aldrich to be sure we are not violating Open Meeting Law.

- Discussion of who will recommend to fund the Saul Property proposal at Town Meeting (Regarding the Saul Property Proposal)
 - Marilyn Blaustein will move the article
 - Paris Boice will speak to the article
 - David Ziomek and Peter Jessop will work on the report for Town Meeting
 - If we don't get the LAND grant from the State, then this plan will change
- **Set schedule for future meetings and distribution of proposal letter**
 - Set next several meetings
 - November 21st, 2013
 - December 19th, 2013
 - January 9th, 2014
 - January 23rd, 2014
 - February 6th, 2014
 - February 20th, 2014
 - Deadline for proposals was pushed from December 4th, 2013 to December 11th, 2013
- Town Meeting Coordinating Committee is meeting Monday for the bus tour, and Mary Streeter asked how they would view the property. Dave Ziomek will not be available so Paris Boice will show the property to the TMCC.
- Public Hearing already set for February 20th, 2014
- Dave Ziomek shared some information about Mill River Recreation Area. The ask for funds for Mill River was much greater than they received from CPAC so the Town submitted a PARC grant to try to leverage more funds. So they will use \$60,000 in CPA funds and \$140,000 in grant money to completed work this spring (January 1-May 31, 2014) The plan is to be ready for next summer.
- Partnered with Mass Housing Partnership and did an assessment of Echo Village Units to see if an offer was to be made, what the longer term capital needs a housing partner would have to invest in.
- Mary Streeter interested in previously funded studies by CPA. Dave Ziomek and Sonia Aldrich will look into this and email this information to the CPAC.
- Peter Jessop asked the CPAC what the committee wants to put on the November agenda?
 - Grant agreements status updates
 - Mary Streeter will draft a letter to send to organizations reminding them to give the CPAC an update
 - Update on Town Meeting
 - Technology review and update
 - Add information to the website instead of emailing the entire CPAC

- Approve the minutes from our last spring meeting at the next meeting. Mary Streeter sent out the draft minutes via email.

Adjournment:

MOTION:

A motion was made by Marilyn Blaustein, Seconded by Mary Streeter to adjourn at 8:51 pm.

VOTED:

Unanimously

NEXT MEETINGS:

Future meetings: All future meetings will be held in the Community Room at the Police Department at 7pm.

November 21st, 2013

December 19th, 2013

January 9th, 2014

January 23rd, 2014

February 6th, 2014

February 20th, 2014

DOCUMENTS DISTRIBUTED

- Agenda- Thursday, September 26, 2013
- Financial Status for CPA funds
- CPAC Proposal Letter Draft
- CPAC Proposal Request Form for FY 2014
- CPAC Conservation Project-Saul Property Proposal
- Protected Lands- Saul Property Map
- LAND Grant: Saul Acquisition Protection of the Fort River and Farming Map
- Saul Property Potential Layout Map

Submitted by Paris Boice

Approved November 21, 2013